

**UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF NEW YORK**

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In re:	: Chapter 11
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BAUMANN & SONS BUSES, INC., <i>et al.</i> ,	: Case No. 20-72121 (REG)
	:
Debtors. <sup>1</sup>	: (Jointly Administered)
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**ORDER APPROVING A CERTAIN STIPULATION BETWEEN THE  
DEBTORS AND SIGNATURE FINANCIAL LLC, PROVIDING FOR  
(I) THE SURRENDER OF TWENTY-THREE LEASED VEHICLES AND  
A CREDIT AGAINST SIGNATURE FINANCIAL LLC'S CLAIM FOR  
SUCH VEHICLES, AND (II) THE SALE OF ALL OTHER ASSETS OF  
THE DEBTORS SUBJECT TO SIGNATURE FINANCIAL LLC'S LIEN**

Upon the original and amended motion (the “Sale Motion”) [Docket Nos. 82 and 121] filed by Baumann & Sons Buses, Inc. (“Sons”), ACME Bus Corp. (“ACME”), ABA Transportation Holding Co., Inc. (“ABA”), Brookset Bus Corp. (“Brookset”) and Baumann Bus Company, Inc. (“Baumann”), the above-captioned debtors and debtors in possession (collectively, the “Debtors”), seeking entry of orders, pursuant to sections 105(a), 363(b), (f), and (m), and 365 of Title 11 of the United States Code (the “Bankruptcy Code”), Rules 2002, 6004, 6006 and 9014 of the Federal Rules of Bankruptcy Procedure (the “Bankruptcy Rules”), and Rules 2002-2, 6004-1, 6006-1, 9006-1, 9013-1, 9014-1 and 9014-2 of the Local Bankruptcy Rules for the Eastern District of New York (the “Local Bankruptcy Rules”), for, among other things, entry of an order (this “Expedited Sales Procedures Order”), authorizing the Debtors to sell any and all of their personal property assets used in the operation of their transportation business (collectively, the “Transportation

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<sup>1</sup> The Debtors in these cases, along with the last four digits of each of the Debtor’s federal tax identification number are: Baumann & Sons Buses, Inc. (2109) and ACME Bus Corp. (8937). Effective August 3, 2020, the following Debtors were added to this case: ABA Transportation Holding Co., Inc. (4676), Brookset Bus Corp. (7908) and Baumann Bus Company, Inc. (9631). The Debtors’ headquarters is located at 3355 Veterans Memorial Highway, Ronkonkoma, New York 11779.

Assets”) and to approve the procedures (the “Expedited Sale Procedures”) for the expedited approval of certain expedited sales (each an “Expedited Sale,” collectively, “Expedited Sales”); and upon this Court’s Expedited Sales Procedures Order, dated August 6, 2020 [Docket No. 133]; and upon the Debtors’ Expedited Sale Notice<sup>2</sup>, dated August 12, 2020 [Docket Nos.150 and 151], and the Expedited Sale Declaration of Richard B. Maltz, dated August 12, 2020 (the “Maltz Declaration”) [Docket No. 150-1], filed in accordance with the Expedited Sales Procedures Order and seeking this Court’s approval of the Debtors’ proposed surrender of twenty-three 23 buses (the “Signature Leased Buses”) for use in the Debtors’ business to lessor Signature Financial LLC (“Signature”) pursuant to that certain stipulation between the Debtors and Signature filed with the Expedited Sale Notice (the “Stipulation”), and the Debtors’ estates’ sale of all other assets subject to a lien by Signature and the mechanism therefor; and upon the notice scheduling a hearing to consider approval of the Stipulation on August 20, 2020; and a certificate of no objection having been filed on August 19, 2020 by Debtors’ counsel stating that no objection, responsive pleading, or higher or better offer to the Stipulation has been filed with the Court; and the Expedited Sale Notice having been given to all Notice Parties and parties entitled to notice pursuant to Bankruptcy Rule 2002, and no additional or further notice need be given; and the Court having reviewed and considered the Stipulation and any objections thereto; and upon the full record in support of the relief requested by the Debtors to approve the Stipulation; and this Court having jurisdiction over this matter; and it appearing that approval of the Stipulation is in the best interests of the Debtors, their estates, their creditors, and all other parties in interest; and after due deliberation thereon, and good and sufficient cause appearing therefor,

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<sup>2</sup> All Capitalized Terms not otherwise defined herein shall have the same meanings ascribed to them in the Expedited Sale Procedures Order.

**THE COURT HEREBY ORDERS THAT:**

1. The Stipulation is hereby approved and the Debtors and Signature are fully authorized to consummate the terms thereof, including the Debtors' surrender of the Signature Leased Buses to Signature, and the Debtors' sale of remaining buses subject to Signature's lien.

2. The Court shall retain exclusive jurisdiction to, among other things, interpret, implement, and enforce the terms and provisions of this Order and the Stipulation, all amendments thereto and any waivers and consents thereunder and each of the agreements executed in connection therewith to which any Debtor is a party or which has been assigned by the Debtors to Signature, and to adjudicate, if necessary, any and all disputes concerning or relating in any way to the Stipulation, including, but not limited to, retaining jurisdiction to: (a) compel delivery of the Signature Leased Buses to Signature; and (b) interpret, implement, and enforce the provisions of this Order and the Stipulation.

3. To the extent that this Order is inconsistent with any prior order or pleading with respect to the Sale Motion in these chapter 11 cases, the terms of this Order shall govern.

4. For cause shown, pursuant to Bankruptcy Rules 6004(h) and 7062, this Order shall not be stayed, shall be effective immediately upon entry, and the Debtors and Signature are authorized to consummate the transactions contemplated by the Stipulation immediately upon entry of this Order.

**Dated: Central Islip, New York  
August 20, 2020**



A handwritten signature in black ink, appearing to read "Robert E. Grossman".

**Robert E. Grossman  
United States Bankruptcy Judge**